In *Hadwell* v. *Righton* [1907], 2 K. B. 345, "the hen and bicycle case," and *Higgins* v. *Searle* [1909], 100 L. T. 280, "the pig and motor-car case," the animals causing the damage were improperly in the highway, and both decisions are authority for the holding in the principal case that the owner is not liable where the injury is not the natural result of vicious propensities. In an analysis of *Higgins* v. *Searle,* supra, found in 73 J. P. 214, the plaintiff's failure to recover on § 25 of the *Highway Act* was explained on the ground that the purpose of that act was to prevent the physical obstruction of the highway, and that liability under a statute only extends to the mischief against which the enactment is intended to guard. In that case a sow frightened a horse. This suggestion would not explain the conclusion in the principal case, in which the sheep did actually obstruct the highway to plaintiff's injury. The American decisions are not entirely agreed. Many cases hold that where the animal, though not by nature vicious, is unlawfully in the highway, the owner is liable for any injuries directly resulting, *Jewett* v. *Gage,* 55 Me. 538, 92 Am. Dec. 615; *Shipley* v. *Colclough,* 81 Mich. 624, 45 N. W. 1106; *Baldwin* v. *Ensign,* 49 Conn. 113, 44 Am. Rep. 205; *Westgate* v. *Carr,* 43 Ill. 450; *Fallon* v. *O'Brien,* 12 R. I. 518, 34 Am. Rep. 713. Other cases hold that the owner is not liable for the injuries of the trespassing animals without proof of scienter, *Kilchers* v. *Elliot,* 114 Ala. 290, 21 So. 965; *Ramsey* v. *Martin,* 45 Pa. Super. Ct. 645; *Dufer* v. *Cully,* 3 Or. 377; *Klenberg* v. *Russell,* 125 Ind. 531, 25 N. E. 596; *Harvey* v. *Buchanan,* 121 Ga 384; *Meegan Bros.* v. *McKay,* 1 Okla. 59.

BANKRUPTCY—DISCHARGE REFUSED BECAUSE OF FALSE OATH.—§ 14b of the BANKRUPTCY ACT provides, as a ground for refusing to discharge a bankrupt, that he has "committed an offense punishable by imprisonment." § 29b (2) provides for punishment if one "has made a false oath or account in, or relation to, any proceeding in bankruptcy." *Held,* that the making of a false oath in a proceeding other than his own was ground for refusing his discharge. *In the Matter of Lesser, Bankrupt* (C. C. A. 1916), 234 Fed. 65.

There is no other decision directly in point, but only a dictum in the *Blalock* case (118 Fed. 679), in which the offense was not "knowingly and fraudulently" committed. It is impossible for a bankrupt to commit many of the offenses enumerated in § 29 in his own proceeding: he cannot in his own proceeding embezzle property belonging to a bankrupt estate which comes into his charge as trustee; nor procure a false claim; nor receive money from a bankrupt after petition filed against him. Hence the court argues that a false oath in *"any* proceeding in bankruptcy" means exactly what it says. Nor do the decisions cut down this doctrine. § 7 of the Act requires submission by the bankrupt to certain examinations, and provides that testimony so obtained shall not be used against the bankrupt in any criminal proceeding. *In re Marx,* 102 Fed. 676, holds that this provision should be read in as an exception to the general language of § 29b (2), but is overruled by *In re Gaylord,* 112 Fed. 668. "The contention that the perjury must be committed in his own bankruptcy is contrary to the letter of the law" and "there is nothing compelling such a construction."